

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Criminal Action No.
24-00069-01-CR-W-DGK

OTHIENO O. LUCAS,

Defendant.

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

The following matters were discussed and action taken during the pretrial conference:

PENDING CHARGES:	Count One	Possession with Intent to Distribute Fentanyl, <i>in violation of</i> 21 U.S.C. §§ 841(a)(1) and (b)(1)(C)
	Count Two	Possession of a Firearm in Furtherance of Drug Trafficking, <i>in violation of</i> 18 U.S.C. § 924(c)(1)(A)(i)
	Count Three	Felon in Possession of a Firearm, <i>in violation of</i> 18 U.S.C. §§ 922(g)(1) and 924(a)(8)

TRIAL COUNSEL:

Government: Trey Alford

Case Agent: Independence, Missouri Police Department Detective Dustin Stewart

Defense: Todd Schultz

OUTSTANDING MOTIONS: None

ANTICIPATED MOTIONS: None

TRIAL WITNESSES:

Government: 7 with stipulations; 10 without stipulations

Defense: no additional witnesses; Defendant may testify

TRIAL EXHIBITS:

Government: 50 exhibits

Defense: no additional exhibits

DEFENSES:

- ☒ defense of general denial
☐ defenses of general denial and _____

POSSIBLE DISPOSITION:

- ☐ Definitely for trial ☐ Possibly for trial
☒ Motion to continue to be filed ☐ Likely a plea will be worked out

TRIAL TIME: 3 days

Government's case including jury selection: 2 days

Defense case: 1 day

STIPULATIONS:

- ☐ not likely
☐ not appropriate
☒ likely as to:
☐ chain of custody
☒ chemist's reports
☒ prior felony conviction and knowledge thereof
☐ interstate nexus of firearm

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit Lists:

Government: June 24, 2024

Defense: June 24, 2024

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: June 24, 2024

Jury instructions must comply with Local Rule 51.1

Motions in Limine: June 24, 2024

TRIAL SETTING: Criminal jury trial docket commencing July 8, 2024

OTHER:

- ☐ A _____-speaking interpreter is required.
☐ Other assistive devices: _____

IT IS SO ORDERED.

/s/ Jill A. Morris
JILL A. MORRIS
United States Magistrate Judge